№10(58)
May 2000

The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"


Photo of "RF"

FAILURE TO HIDE CHYHIR BEHIND THE BARS

THE SENTENCE TO MICHAIL CHYHIR PROVED THAT THE PROSECUTION OF HIM HAD A POLITICAL GOAL ON THE FIST PLACE. IT WAS AIMED AT DEPRIVING CHYHIR OF POSSIBILITY TO RUN FOR THE POST OF THE PRESIDENT IN THE UPCOMING ELECTIONS.

On May 19 the sentence to the ex-prime-minister was pronounced in Miensk City Court. Michail Chyhir got a three years of prison sentence suspended for 2 years. Besides that, the Court decided that Michail Chyhir would not be allowed to hold any administrative post during the next five years. This automatically means that the ex-prime-minister will not be able to run for the post in the President elections, which are coming in 2001... Taking into account that the Public Prosecutor V.Zynhiel demanded to punish Michail Chyhir with 5 years of imprisonment of the second division, the actual penalty may be considered rather mild.

(To be continued on page 2)

CHRONICLE

On May 8, Iryna Panasiuk, a 33-year-old teacher, was run over on the Miensk-Brest highway, nearby the village Telma. The injured victim of the accident died on the very spot of the tragedy. The man at the wheel of "Volvo" turned out to be the chairman of Brest region Executive Committee Vasil Dauhalou. Iryna Panasiuk had a daughter, who is now orphaned by the accident (her father died several years ago). Very soon the rumors spread around Brest, that the accident victim was drunk, and herself caused the accident, running on the road right in front of the car. The representatives of Brest branch of human rights center "Viasna" think that Brest authorities will do everything possible in order to help the high-positioned driver to escape responsibility.

On May 13 Viciebsk city branch of Belarusian Language Society organized a picket devoted to 5 years of referendum'95 "anniversary". The sadly known referendum made it possible to abolish the Belarusian national state symbols and the official status of the Belarusian language. It's worth mentioning that in Viciebsk, which is a regional center, only 43 firstgraders out of 3027 are able to study in Belarusian language.

On May 17,18 and 19 the workers of both shifts of one of the mills of Horadnia integrated textile factory protested against the delays in payment of their wages and he miserable size of the latter. More than 60 people were on strike for 3 days. As the result of the protests Uladzimir Krupin, the general director of the factory, promised the workers a 15% raise of their wages. According to Adolf Zacepin, a chairman of the Independent Trade Union, even this minimal concession, made by the factory authorities, doesn't have any perspectives for the execution.

(To be continued on pp. 6-7)

THE SON CANNOT BE RAISED FROM THE DEAD...

On May 18 in Baranavicy (Brest region) the court considered the civil action of Taciana Drozd, who asked for compensation of moral damage, caused by death of her son.

Zmicier Drozd, the son of Taciana Drozd, (born 1982) was a student of Baranavicy professional school. He died on September 13, 1999. In her claim Taciana Drozd explains the circumstances of the death of her son in the following way: "There is the outer perimeter of the military unit, which is under wire, nearby our house. There are no signs like "Stop", "Prohibited Area", "Don't Cross, the Danger of Being Shot" on the outer perimeter. The local people often come to the territory of the military unit in the summer time to gather berries, or cowpats (the area between the first and the second wires is depastured). On September 13, 1999 my son was looking for a piece of a pipe for his motorbike and with this purpose came to the dumping ground, situated on the territory of the post of 55435 military unit. Zmicier's friends observed him while he was on the military unit territory. According to their words and the testimony of Januskievic, sentry of military security guard, Zmicier climbed over the concrete fence, ran to the wire, and got under it to the dumping ground. In about 10 minutes Zmicier was coming back. Januskievic warned him "Stop! I will shoot!" After the call of the sentry Zmicier got scared and started running more slowly. The distance between Zmicier and the sentry was 5-6 meters. The sentry shot in the air. The next shot was made in Zmicier's direction, but was not accurate. Zmicier continued running and yelling: "Please, don't shoot!" Januskievic made the third shot in Zmicier's direction and killed him. Baranavicy inter-garrison prosecutor's office brought a criminal action on the fact of a stranger attacking the sentry Januskievic, which was stopped due to the absence of criminal actions from his side. In this way, the person, who shot my son to death is not guilty. My son's actions are not criminal either. To my mind, my underaged son did a gross carelessness; he went on the territory of the military unit, carelessly thinking that the security guard didn't have any live ammunition and would not shoot. But he was killed. On the basis of the parts 2 and 3 of article 952 and article 963 of the Civil Code of the Republic of Belarus I wrote an application to the commandant of the military unit 55435 for the compensation of my son's funeral expenditures. The commandant of the military unit refused to compensate the expenditures of the funeral and the gravestone. I ask to enforce payment by the military unit of 662 900 new rubles to reimburse funeral expenses, as well as 900 000 rubles to compensate the moral loss."

The court considering the case was thrice postponed. For the first time it was caused by the absence of the respondent from court, for the second time – because the judge was in Miensk for the judges training, for the third time – several documents were missing. Finally, the trial took place. Uladzimir Malej, the lawyer of the Brest branch of human rights center "Viasna" played a very positive role in the process. The claim was partially sustained, but Taciana Drozd is not going to surrender and wishes to further defend her rights. These are the rights of a mother, who lost her son, because numerous military standing orders in Belarus are a lot more appropriate to the country, which is involved in the military actions, and not to the one, which lives peacefully for 55 years already.

Informational Department of human rights center "Viasna"

FAILURE TO HIDE CHYHIR BEHIND THE BARS

(Continued from page 1)

The Court acquitted Michail Chyhir of the 6 episodes, among those of one of the most known – the case of a million dollars, given to the Canadian company, which was supposed to build an office of the bank, chaired by Chyhir at that time. Out of the four articles, by the terms of which Chyhir was tried, he was found guilty only on one count: Article 167.2 ("Excess of power, which led to grand losses"). The Court decided, that Michail Chyhir, when being a prime-minister of Belarus, delegated himself the powers of the Supreme Court and the Cabinet, and in September of 1995 issued an order of granting the commercial firm "Piask" a delay in payment of custom duties. As a result, the state lost 209, 5 million rubles (about $210 000). The Court obliged Michail Chyhir to pay this money to Miensk regional customs office.

On the morning the sentence hearing was to take place, a lot of people gathered in front of the court building. There were journalists, representatives of the United States, French, German, Czech and other embassies, representatives of public organizations and political parties, members of Chyhir's family, as well as the common citizens, who came to support Michail Chyhir. Police surrounded the court building, and the Special Forces men blocked the entry. In the beginning, even the son of Chyhir and other family members were not let inside. When people tried to come inside the building, the Special Forces tried to restore order and used physical force. As a result, Julia Chyhir, the wife of Michail, damaged her arm – it was severely bleeding (Julia Chyhir is a lawyer, she was defending her husband during the trial). A well-known journalist and human rights defender Valery Shchukin was beaten up in the court building. Finally the members of the family, representatives of the foreign embassies and some journalists were let inside. The sentence hearing started, but the people, who didn't manage to come inside, didn't go away. They gathered in front of the open windows of the court hall and cried out the slogans: "Freedom to Chyhir!", "Shame!" The police detained two of the most active citizens – Zmicier Marcuk and Jan Hryb.


V.Zynhiel, the prosecutor.



Even a mouse won't get to the court hall...

Prison – Whole Belarus

Artist Ales Puskin, convicted for the artistic performance, cannot cross Belarusian borders.

On May 23 the well-known Belarusian artist Ales Puskin was not permitted to leave the country. The reason: Ales Puskin got the suspended sentence of 2 years imprisonment. A.Puskin was found guilty on November 24 1999 by Leninski district court for his performance of July 21, 1999. On this day (the ending of legitimate presidency of Alexander Lukasenka) he barrowed the dung, together with Lukasenka's portrait and state symbols, adopted after the shameful referendum of 1995, to the President's residence. By this artistic action – performance – the artist Ales Puskin expressed his gratitude for “his 5-year fruitful work”.

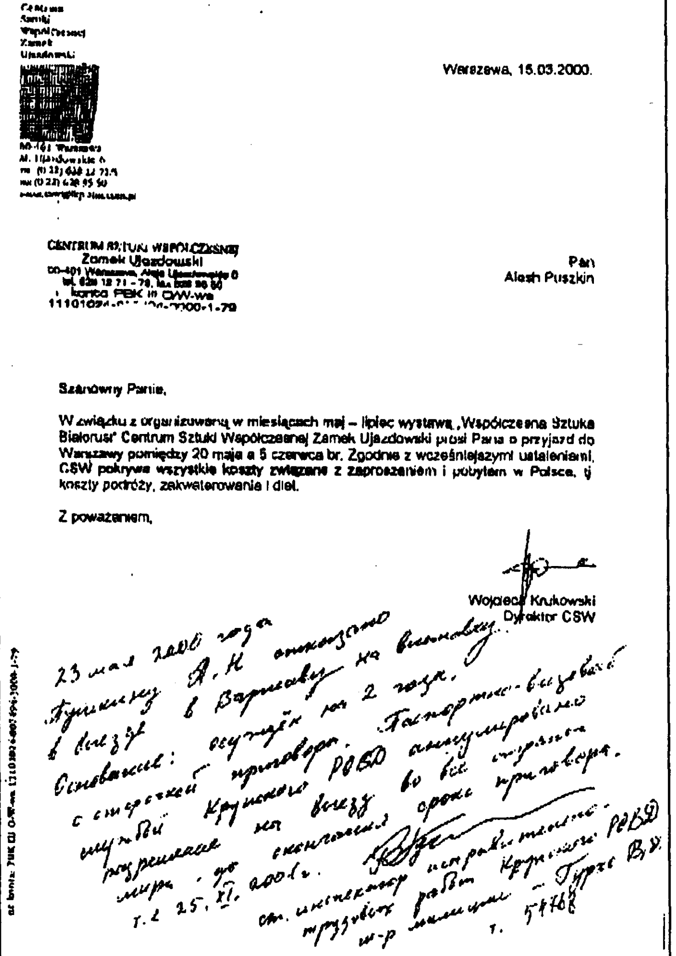


July 21, 2000 – arrest of Ales Puskin on the background of his performance...

History repeats itself; history is fond of farces. Remember, American pop-singer Dean Rid rinsed an American flag in the bucket with water right in front of the White House (American, not Russian), protesting against the war in Vietnam? The political improvisation of the foreign performer was approved by the Soviet Empire, and the singer himself was given an opportunity of numerous concerts in the Soviet Union and an honorable elite rank of “progressive and inappeasable fighter for the peace all over the world”...

By his action artist Ales Puskin celebrated the end of the legitimate rule of Alexander Lukasenka. Certainly, not according to the American-Soviet script, but according to our Belarusian one – arrest, trial, and sentence... The police state once again enjoyed the play of own authoritarian muscles, and had a lot of fun observing one more “oppositionist” brought to “justice” and cornered by the vengeful hand of “law”. “Conditional punishment” (2 years of prison, with a suspended sentence), is quite abstruse and endlessly threatening. All of us are today “conditional” population of “conditional” country... The invention of the authorities was to come to fruition sooner or later. It has just happened...

Ales Puskin is an interesting writer of great originality with healthy creative and political ambitions, which every real creator and every real citizen has. His painting, as well as his convincing performances are a part of the national life, national culture, which doesn't need any presidential orders to choose its heroes. There is nothing miraculous in the interest to his works abroad. The official letter from the Warsaw Center of Modern Art “Zamak Ujazdouski” is a good proof for that. Wojcech Krukowski, the chief of this well-known Polish center of art, invited Puskin with his paintings to the prestigious exhibition, devoted to the modern art of Belarus. Very large and important exhibition, which lasts from the end of May till the beginning of July.



Warszawa, 15.03.2000.

CENTRUM SZTUKI WSPÓŁCZESNEJ
Zamek Ujazdowski

Pan
Alesh Puszkin

Szanowny Panie,

W związku z organizowaną w miesiącach maj – lipiec wystawą „Współczesna Sztuka Białorusi" Centrum Sztuki Współczesnej Zamek Ujazdowski prosi Pana o przyjazd do Warszawy pomiędzy 20 maja a 5 czerwca br. Zgodnie z wcześniejszymi ustaleniami, CSW pokrywa wszystkie koszty związane z zaproszeniem i pobytem w Polsce, tj koszty podróży, zakwaterowania i diet.

Z poważaniem,

Wojciech Krukowski
Dyrektor CSW

An invitation with refusal written on it.

As a “law-abiding” citizen, Ales Puskin applied to V.Hurko, Krupski district (Miensk region) senior probation officer. Ales showed him an invitation to Poland – and got a categorical refusal: “On May 23, 2000 Puskin A.N. is refused an application to go to Warsaw for an exhibition. Reason: two-year suspended sentence. The passport service of Krupski District Department of Internal Affairs (DDIA) cancelled the validity of his passport for all foreign travel until the end of the sentence term, i.e. till 25.XI.2001”.

To cut it short, Puskin, condemned, but unbowed, was not allowed to go abroad. Once again the state authorities proved that politics and art in Belarus are indivisibly interrelated. Prophets often feel at a disadvantage in their own country. Creative people are not held in esteem in their Fatherland. First Finland and then Germany show hospitality to Vasil Bykau, world-known writer, who can find there all the conditions to continue his literary work. Uladzimier Niaklajeu, a poet in disfavor, found his shelter in Poland and Finland... For Ales Puskin the whole country became one big prison – with the borders as the wired wall, which is so hard to break.

The Constitution of the Republic of Belarus, written by Lukasenka, turns a blind eye to the violations of human rights. Belarusian laws are helpless in the fight with crime. Instead they are able to secure a “suspended sentence” to every freethinker.

Ales HARKUN

"MY MUMMY DIED. SHE WAS TRAMPLED TO DEATH..."

RECOLLECTIONS OF THE CHILDREN, WHO SURVIVED NIAMIHA TRAGEDY

"The dead are alive, till there are the living to remember them", — the French writer said. Unfortunately, the victims of Niamiha tragedy will be remembered only by their parents, relatives and friends – they were too young to have their own children.

Alosha Zielankievic, six years old, survived the horror of Niamiha tragedy, but lost there his father, who practically saved him from death. Two other boys, 4 and 5 years old, the cousins Dzianis Loban and Uladzik Skurdze, were also lucky to survive. They survived, but lost their mothers, who were lying in the subway on the bloodstained stairs, trampled to death.

It's been a year since that tragic Sunday of May 30, 1999, which swept the lives of 53 people. Only after the New Year Uladzik Skurdze started talking about the events of that day. We are sitting together and looking at the picture, taken in May 1998. They are 8n the city park – him, his mummy Luda, cousin Dzianis and auntie Svieta – all alive and smiling:

"This is Svieta, and this is my mummy. My mummy is dead. They choked her to death. There were a lot of people and they were all pushing each other on the stairs. People were running like crazy. We couldn't run away, we didn't manage to. I was scared and cried. Mummy didn't cry, she was lying, because she was dead. There was also Dzianis somewhere, but I don't remember, where. Somebody picked me up, and took me to some woman, who was selling flowers. Losha, he lived with us, helped me out of it. Mummy and Svieta stayed there. I remember that very well. And I remember my mummy. She was very beautiful, and very kind. She took me to amusement park, and we had fun together. We also went to the village. We ate grilled meat there. Then I was in the upper bed, and she was in the lower one. We also went to the forest; I picked wood for the bonfire.

Now I live at my grandma's. My grandma is very kind; I love her. I have many car-toys in my room. I'll be a driver, when I grow up. I will often go to the village, and



Uladzik and Dzianis together with their mothers in the park

pick up my grandparents to drive them to the city. I will also take food from there. We have tomatoes, cucumbers, raspberry, and onions there. We will grow potatoes and flowers. Mice nibbled some of my toys in the village.

I miss my mummy very much. I see her in the sky. She flew to the sky and now she is a star. She shines to me and I talk to her. I tell her: "Good morning, mummy!" She is a big and shiny star. There is also a Svieta-star. Not long ago another star appeared in the sky – my grandpa Sasha. Now they are together.

My grandma, Dzianis and me visited the place, where mummy died. There is her picture there on the wall now and Svieta's picture as well. Mummy lies on the cemetery now. I was there, and I brought her red and white flowers".

For the Lobans the tragedy didn't end up with the death of their two daughters. Their father Alexander didn't bear the death of his girls, and died in January 2000. One more star started shining near Luda-star and Svieta-star. When I collected material for the book "Niamiha Tragedy", Alexander Loban was still alive and silently listened to his wife Tamara, telling about their killed daughters.

"We have three daughters. Svieta is the oldest, Luda – the youngest, and Alona is in the middle... I am a plasterer. This is a hard job, you know. You come home so tired, you just want to relax, and my daughters understood me very well. They were very good girls, kind and obedient. They didn't do very well in school, but every person is good in his own field. We didn't have time to help them – they did everything themselves.

Every our girl was beautiful in her own way. Guys liked them; they had a lot of friends. But then children appeared and they had to take care of them.

Svieta and Luda have different last names, because our younger daughter was married already, but something went wrong. So both girls – Svieta and Luda – lived together, worked, brought up their children. They worked together in some private company. One of them goes to work, and the other one stays with children. And vice versa. I helped them as much as I could, but they never demanded anything. In the beginning we all lived together in a big apartment, but when small children appeared, it was too difficult. You come home from work, very tired, you want to have a rest, but there are small children in the house, you have to take care of them. We exchanged the apartments and our daughters moved in together.

Alona also had a husband. Very good one at first, but then many friends came, partying every day. His mother was very at him, she is a nice, kind-hearted woman, but he didn't listen to her. They quarreled once again, and he moved back with his parents. Sometime before commemoration of our daughters on the fortieth day, he got his salary, went swimming with his friends and drowned. And those friends didn't admit that they had seen him drowning. He thought they were friends. You see how it all happened. His mother came to the commemoration of our daughters, and we came to commemoration evening of her son in a short time...

Our daughters got to Niamiha subway just as everybody else did – they came to the open-air concert. Svieta and Luda were there together with friends and children. They just came there, and all of a sudden a hailstorm started. They decided to hide in the subway. After the tragedy I asked Dzianis, my elder grandson: "How did it all happen?" Earlier he was under a deep stress, couldn't tell me anything about the tragedy. Now he is a little bit better.

He says, they walked, holding on to the handrail. They were there together with Luda's friend. This friend, when it all started, shouted to them to grip the railing. Dzianis had a backpack; it

was torn to pieces. I asked Dzianis: "Did it happen there?" He says, no. "When the man picked me up, it was already like that. Then somebody took me in arms and brought me to the ambulance".

Our younger grandson, Uladzik, experienced a greater stress. He couldn't come to himself for a long time. Only a lot later he told me how he was crawling over the body of his mother and asked: "Get up, mummy! Let's go!" but his mummy was silent...

My daughter's friend is not able to tell exactly what happened. But he managed to hold the child, and then he took him to the ambulance. He saw Luda – tried to help her, but it was too late. He gave the child to some other man. Or the crowd would have trampled him to death... Then, he says, the ambulance tried to bring Luda to life, but it was senseless. I saw it myself at the funeral – her breast was all downtrodden. Her face was more or less made up, but her breast... On the second day it was all black. You see they probably fell down on the bottom steps. So the whole crowd walked on their bodies, treaded them down. Very strongly – their breasts were so black.

They are buried on Calvary cemetery. The place is good, nice and dry. We have already ordered the monuments. The kids get a pension. They miss their mothers so much. I take care of one of the grandsons; the other grandma takes care of the other. I take him to the Kindergarten, in the evenings I pick him up. It's not easy. I work far from the Kindergarten, and then I do the shopping on my way from work. So when I come there, he is always the last one. It's not easy, but I manage somehow.

Dzianis gets scared very easily now. He became very nervous. He is afraid of riding in trains, and using elevators. He says, let's better walk, he is scared, he says. Once we were riding on a bus, the driver braked very sharply, people in the bus leaned forward. All of a sudden Dzianis started yelling: "People are falling, people are falling down!" I hardly managed to calm him down and only after we got out of the bus.

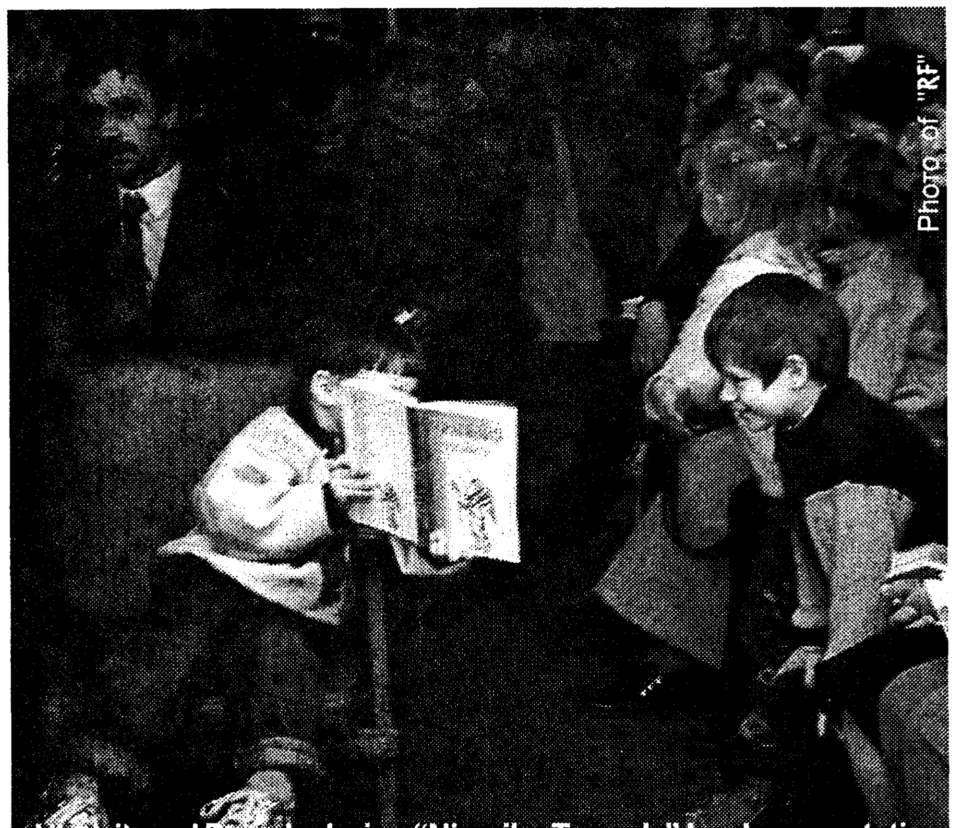
I saw my daughters in the dreams. Once I see my younger one, Luda: as if I lay on the sofa together with my grandson, she is walking past us. I lay and think: "why is she so warm?" I physically felt the warmness coming from her. But she has already died. The older daughter just ran past us very quickly, and that's it. I see many weird dreams now. I always climb some high mountains in my dreams. Endless mountains.

Now I often go to church, to the cemetery. What can I do? If I only could, I would give up everything to bring them back to life, but that's out of my power. You just come to the cemetery, and cry... Our life looks like this now".

Uladzik and Dzianis were stunned by the deaths of their mothers. Tamara Loban takes care of Dzianis now. Uladzik lives with his father's mother Jauhienija Filatava. She tells me, how psychologically depressed is the child, who witnessed the death of his mother, and how he is living now.

"I took him home the next day after the funeral. During the first days after the tragedy he was just a living bundle of nerves. He refused everything. No matter what we did, nothing could help. After Luda died, we actually brought him from the world, where he lived – his mother, Losha, Dzianis, Svieta... It was hard for him. He lost everything what he had before, he found himself in a completely different dimension.

We talked to him a lot – also about his mother. I told him a lot about his life in the past. It's horrible, that he saw his mother dying. He saw her dead, crawled over her body, tried to open her eyes, and asked her to look at him. Step by step, he began to believe, that his mummy didn't disappear for ever, that she is a star, and calmed down a little bit. In winter you can see the stars in the sky very early. We walk home from the Kindergarten, and talk with his mother-star. In the end of November his father came (he lives in St. Petersburg), and we all went to the cemetery. We took Uladzik with us. He didn't understand where we were going. When we came to the grave and showed it to him, he burst into tears and told me: "You said she was in the sky. Why is she here? How can it be?" I explained him that it's always like that: their graves stay here, and their souls fly to live on the sky. He listened to me, calmed down, and now we often go to the cemetery together. He takes his favorite flowers and brings him to his mummy. Now he is calm, because he believes that his mummy is living somewhere and that she didn't disappear forever...



Uladzik and Dzianis during "Niamiha Tragedy" book presentation.

Some time ago he faced the wall, looked down, and stood like this, not saying a word. If I tried to caress him, he would push me away and start crying. Not long ago he came up to me, hugged me and said: "You know, before I was scared, I thought that I would feel bad – my mummy had died and I was left alone. That's why I stood in front of the wall – do you remember? I even didn't want to talk to you. Mummy died and everything was very bad. Now I know that my mummy is shining to me from the sky and I feel all right". He's changed a lot. Sometimes we go to the apartment, where he lived with his mother. He knows that later he will live in that apartment. He has recovered from the great pain. In the mornings, when he wakes up, he comes to my room, hugs and kisses me. I had to show him to the doctors – psychologists, neurologist – in order to break the wall between us. I work with children, in a Kindergarten, I know a lot myself, but in this case we needed professional help. When we came to neurologist for the first time, she said: "He is so sick." Last time we visited her the doctor said: "He is an entirely different boy now."

In the beginning he was afraid of the crowd. When we had to ride on a bus, he asked me: "Grandma, let's not get on, there are too many people inside". Now he doesn't do that, but he often says to me: "Grandma, look, people are running like crazy. They will again start pushing each other and will kill somebody again". Uladzik's father, when he was a small boy of four, has also survived in a similar tragedy. It was on May 2, 1977, a horrible railway catastrophe on Kryzouka station near Miensk. The electric train stood on the station, and another train crashed into it. We were in the last car — the most damaged one. My son was rescued by his stepfather then, and now Uladzik was rescued by his stepfather (his mother's boyfriend, to be exact). Uladzik repeated the destiny of his father. The only difference is that I survived the catastrophe 20 years ago, but Uladzik's mother died. I see some mystic fatal connection between these two events.

It feels like some incomprehensible curse on the whole our family. The railway catastrophe, which we were lucky to survive, but soon after that our son Vania was born, who turned out to be very sick. And now the death of Svieta and Luda in Niamiha subway, and the death of their father soon after that. And this was not the end. Practically several days after their father had died, my younger son Vania was tragically killed. Vania was Uladzik's godfather, Uladzik loved him dearly, and he was closer to him than his own father. I still don't tell Uladzik, that his godfather is dead. Now I live with the fear of tomorrow. I am scared of the future.

I want Uladzik to be kind-hearted and strong. Now he visits the church Sunday school. I want him to be closer to God, to have moral and spiritual ground under his feet. Even if I die, this will give him the strength to live on".

Having lost their children, the grandmothers, who have to take care of their grandsons, lost their health and energy as well. They don't know how long they'll be able to raise their grandsons for. That's why they look to the state and kind-hearted people for help, which they need so much. We don't have the power to bring boys' mothers back to life, but we are really able to give them our hand of help. Their relatives will be grateful for any kind of help. If there is somebody who cares about the future of these children, please, contact the human rights center "Viasna", and we will be happy to help you meet them.

Taciana REVIAKA.

EVENTS FACTS COMMENTS

(Continues from page 1)

On May 18, Georgy Muchin, "Labor Union" Board member, member of the Free Trade Union, applied to the human rights center "Viasna". In 1999 he was fired from Miensk tractor plant for his trade-union activity. For announcing a protest hunger strike on his workplace, to be exact. Georgy Muchin was unemployed for more than a year; he was also refused any unemployment benefits. Finally, on May 15 Leninski district state employment service directed G.Muchin to Miensk engine plant. On May 17 Georgy came to the plant and got the job in the machine shop #6. Although, when Georgy came to his new work on May 18, S.Brakarenka, the chief of the machine shop, refused him in giving him a job in his shop. This proves the fact, that authorities of some Miensk plants do everything possible in order to prevent the contacts of their workers with the Free Trade Union activists. As the result of the conflict, Georgy has a paper from Miensk motor plant, which says, that he is employed there, but he cannot start working, because he is not able to come to the machine shop and actually start working. Georgy Muchin appealed to the chief of the motor plant Zdanovic, and plans to file an appeal to court in the case the plant authorities continue to violate his rights.

Coordination Council "Regional Belarus" was created in Horadnia *on May 18.* The Council was created in order to consolidate and coordinate the activities of regional associations of political parties, non-governmental organizations, and trade unions. The representatives of the regional centers and other big cities of the country took an active part in the first congress of the newly created organization. The congress stressed the fact, that the aim of the Council is to support the democratic movement in the center, i.e. in Miensk. Siamion Domas was elected coordinator of "Regional Belarus".



On May 21 the detained participants of the unauthorized picket, which was organized by the activists of opposition parties, were tried in court, which took place in the Barysau city police department.

On May 19, the second day of the international art-festival "Miensk Spring-2000", the police detained all photo- and TV-journalists, who were taking pictures and filming the performances near "Radzima" movie theater. The scandal was caused by the performance, called "Monument", done by the Polish artist Mieczyslaw Skalimowski. "A Man with Moustache", which was the central figure of the installation, reminded the policemen the features of Alexander Lukasenka. Even the camera-people of Belarusian television, famous for its loyalty to the president, were not permitted to film the performance.

May 19 was the final day of the trial of Michail Chyhir, ex-prime minister, who was arrested after running for the post in the alternative presidential elections in 1999. Michail Chyhir was in jail for eight months, and was released in his own custody in November 1999 right before the OSCE summit in Istanbul. On the morning the sentence hearing was to take place, a lot of people gathered near the court building. There were journalists, representatives of the United States, French, German, Czech and other embassies, representatives of public organizations and political parties, members of Chyhir's family, as well as the common citizens, who came to support Michail Chyhir. Police surrounded the court building, and the Special Forces men blocked the entry. In the beginning, even the son of Chyhir and other family members were not let inside. When people tried to come inside the building, the Special Forces tried to restore order and used physical force. As a result, Julia Chyhir, the wife of Michail, damaged her arm – it was severely bleeding (Julia Chyhir is a lawyer, she was defending her husband during the trial). A well-known journalist and human rights defender Valery Shchukin was beaten up in the court building. Finally the members of the family, representatives of the foreign embassies and some journalists were let inside. The hearing started, but the people, who didn't manage to come inside, didn't go away. They gathered in front of the open windows of the court hall and cried out the slogans: "Freedom to Chyhir!" "Shame!" One of the people, Viera Cierlukievic, was holding a small icon in her hands. Lieutenant colonel Hirel came up to the people and said: "I understand what you feel now, but you disrupt the trial. Don't shout, let's pray to that icon instead. But the people didn't go away. The police detained two of the most active citizens – Zmicier Marcuk and Jan Hryb. The prosecutor proposed the punishment of 5 years of prison for Michail Chyhir on April 26, but the court has come to a different decision – 3 years of prison, suspended for 2 years. According to the decision of the court, Michail Chyhir will not be able to hold an administrative post in the country.

On May 20 the catholic priest Zbigniew Karolak ran out of term, assigned by the state authorities, in which he had to leave the territory of Belarus. The Committee of religious affairs refused to prolong registration of Karolak, the Polish citizen, during the last four years. But Karolak, as every foreign citizen is supposed to do, got a temporary registration every three weeks. The Catholics continue to occupy their church building in order to defend their priest.

On May 20 unknown people broke into the office of the public organization "Legal Help to Population" and stole all the office equipment. The computers contained databases and information about human rights violations by Belarusian authorities. The equipment had been stolen the day before the joint press-conference of "Viasna" and "Legal Help to Population", devoted to the anniversary of Niamiha tragedy, which killed 53 young people, was to take place. "Legal Help to Population", in cooperation with "Viasna" conducted the public investigation of the reasons of the tragedy. We should also note that the office of the organization is located in the state building, which was supposed to be guarded. The Council of Human Rights Center "Viasna" has made a decision to let the robbed organization use one of "Viasna"'s computers and a printer.The activity of human rights' defenders will not be stopped.

On May 21 the detained participants of the unauthorized picket. Three activists were found guilty of infringement the Article #167.1 of the Administrative Code. A.Abramovic was sentenced to 15 days of administrative arrest (jail), A.Cialeznikau – 10 days of administrative arrest, and A.Jausiuk — to the fine of 390 thousand rubles, which equals to $400.Under-aged Alena (17) and Maryna (13) Jausiuk, as well as the representatives of independent Mass Media: A. Zdvizkou (editor-in-chief of "Zhoda" newspaper), Mikalajcanka ("Salidarnasc" newspaper), and Kuzniacou, (observer from the local department of Belarusian Helsinki Committee) were detained at the same time. The police authorities conducted a 40-minute long preventive conversation with them and released them afterwards.

On May 20 the ex-prime-minister Michail Chyhir, his defenders Julija Chyhir and Alexander Pylcanka addressed a complaint to the Supreme Court about the decision of Miensk city court. The decision was made on May 19. M.Chyhir was found guilty and conditionally sentenced to 3 years of prison, by the terms of Article 167.2 of the Criminal Code of Republic of Belarus (excess of power or authority, committed by high-level officials). He was also deprived of the right to hold high-level posts during the next 5 years. The execution of the punishment is postponed for two years by the terms of Article 44-1 of the

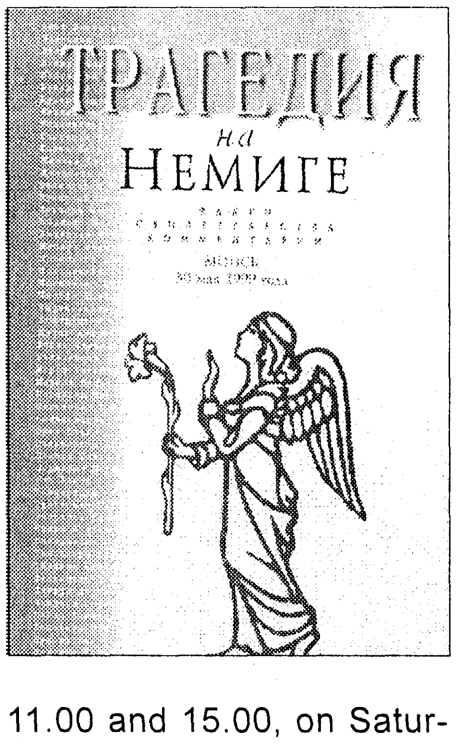
Criminal Code. Besides that, Chyhir has to pay 209 million 535 thousand 542 rubles to Miensk region customs office and law charge of 6 million 262 thousand 66 rubles. At the same time, M.Chyhir was found innocent due to the lack of evidentiary support by the terms of the three following articles: 168 (negligent performance of duty); 167.1 (excess of power or authority) and 166.2 (malversation). "We consider the sentence of M.Chyhir by the terms of Article 167.2 of the Criminal Code of the Republic of Belarus lawless and ungrounded. The charge should be dismissed" – says the complaint.

On May 27 anonymous criminals robbed the "Center of Human Rights", chaired by the famous lawyer Viera Stramkouskaja. The organization misses computers, rigid disks of which contained information about the cases of human rights violation in Belarus.

On May 30 a year passed since the terrible tragedy in Niamiha subway, which had swept away the lives of 52 people (the 53rd, 19-year-old Siarhiej Saladkievic, died in hospital on June 11, 1999). People guilty of the tragedy are still not detected. The term of case investigation is extended once more. Aleh Voucak, who acted in court for the parents of killed children, states: "Taking into account the reaction of the case investigators, their unwillingness to talk to the parents, to acquaint them with the results of the investigation and expert reports (though the parents have all the rights for that), the authorities really do have something to hide. There is something in this criminal case they don't want the parents to be aware of."

The participants of the so-called "public and political dialogue" met Alexander Lukasenka *on May 30.* The "public and political dialogue" was invented in order to find a compromise between the opposition and the authorities, and to make changes in the adopted by Lukasenka's "Parliament" antidemocratic election-law, according to which the parliament elections are to take place in the fall of 2000. Actually, the dialogue failed, it turned out to be the regular monologue of Alexander Lukasenka. Moreover, there were practically no Lukasenka's opponents in the dialogue room. All influential political parties in opposition refused to participate in the farce.

MONUMENT TO THE DEAD, MEMENTO TO THE LIVING



The book "Niamiha tragedy. Facts, Testimonies, Commentaries" was presented to the public in Maksim Bahdanovic museum on May 24. The book was prepared by the human rights center "Viasna" in cooperation with the center of social protection "Niamiha'99". This documentary book is intended for creating a monument to the dead and memento to the living. It is a collection of evidence of Niamiha tragedy witnesses, as well as recollections of the families of each of the 53 people, killed in the tragedy. The book also contains the pictures of all 53 victims. It has 604 pages.

The book can be bought since May 30 in Miensk, vul. Rumiancava 13 (Belarusian Language Society) between 14.30 and 18.30 (every day except Sunday), on Wednesdays – between 11.00 and 15.00, on Saturdays – between 17.00 and 19.00.





Pictures: The book presentation, left — Natalla Navakouskaja, the chairperson of the center of social protection "Niamiha'99" (mother of A.Navakouskaja, the victim of the tragedy); right – Palina Sciepanienka and Taciana Reviaka, the book project authors, employees of the human rights center "Viasna".

SIX DAYS IN PRAGUE

The Czech Foundation "People in Need" invited the activists of the human rights center "Viasna" and the lawyers, who cooperate with our center, to the seminar, which took place in Prague from May 15 to 20. Czech Helsinki Committee also took an active part in the organization of the seminar. Adam Haulin, the employee of the "People in Need" and Pavel Bilek, vice-chairperson of Czech Helsinki Committee, were taking care of the Belarusian guests.

The seminar participants had a chance to meet the activists of Czech Helsinki Committee, members of the Czech Bar, the Union of Judges and the Union of Prosecutors. They also visited the Police Academy and the police school of the Czech Ministry of Internal Affairs, talked with the representative of the Department of Refugees' Affairs and visited the famous Prague prison Pankratz.

The Czech Republic is now getting ready to enter the European Union. One can see great changes in the activity of judicial and other establishments, in the way state and human rights organizations cooperate. For instance, human rights organizations and state establishments have really started working together in the field of protection and defense of human rights.

The activities of Czech human rights organizations and judicial bodies once again proved the fact, that the Czech Republic constantly follows the way of the reforms and democratization, while Belarus slides down the slope of dictatorship and totalitarianism. Czech human rights defenders, lawyers, judges, Police Academy teachers often compared the contemporary situation in Belarus to the Czech situation before 1990. They wished Belarusians success in bringing their country back to the friendly family of the European nations.

SIARHIEJ PJANYCH:

NON-FREEDOM DAY

NOTES OF THE WITNESS OF THE EVENTS OF MARCH 25, 2000 IN MIENSK

BEGINNING.

On the morning of March 25, at 10.30 I met Ryhor Gitlic, my colleague from the United Civic Party, near subway station "Uschod". He sat in my car, and we headed to the center of the city, where we wanted to participate in the celebration of the Freedom Day. We were surprised to see the soldiers of the internal forces and two armored fighting vehicles on Skaryna Avenue near the National Academy of Sciences. Farther down Akademicnaja Street we could see other military cars, packed with soldiers. We took pictures of the armored fighting vehicles, we drove along Skaryna Avenue down to Jakub Kolas square, the meeting place for the celebration participants. Police forces stood all along the avenue, with dog-armed police patrols "promenading around". Policemen surrounded Jakub Kolas square, people were not let to come there, and those already there were forced out of it. We noticed two armored fighting vehicles, a fire engine and several cars for transportation of the detained on the parking lot near "Na rostaniach" cafe. It was clear, that e wouldn't be able to get to the square, and we decided to go to the office of Belarusian Popular Front (Varvaseni Street, 8). We left the car in the yard. At about 11.10 we entered the office of BPF.



Armored fighting vehicles near "Na Rostaniach" cafe.

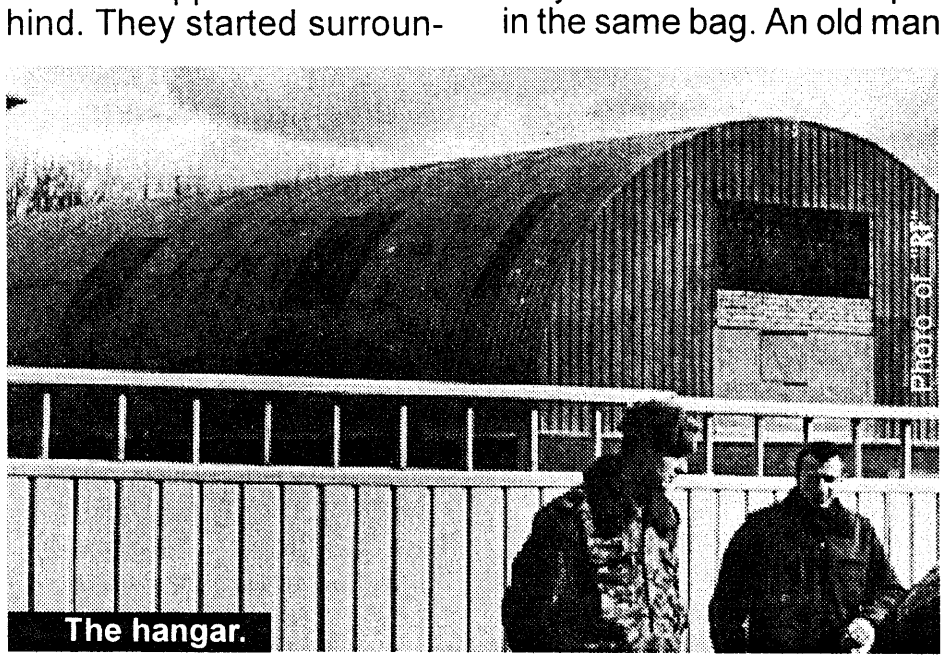
CAPTURE.

We spent about 20 minutes in the office, when somebody came and said that policemen had seized the guys, standing near the office doors. We decided to go out of the office and walk in the direction of Banhalor square. We didn't carry any flags or posters, and walked in silence. Four policemen with a radio set stood on the corner of Cyrvonaja Street. They warned us, that the meeting on Jakub Kolas square is prohibited. I told them that we go to a different place and showed the direction. The officer asked us to hold on for a minute. At that very moment about 15 policemen in helmets and uniforms appeared from behind. They started surrounding us and push us to the wall. Several passers-by accidentally happened round, and were also taken inside the circle. No one told us his name or explained the reason of their actions.

The policemen took us into the circle and started grabbing the people one by one, beating us with their sticks. I saw them hitting Jauhien Lemes in the groin. The police officer of about 35-40 grabbed me and dragged me to the police van, somebody at the back was beating me with the stick. I was knocked down near the van. Several people fell on me. Choking, I hurried to stand up in order not to be trampled to death, and got into the van myself. There was a mayor in the spotted uniform in the van. In one minute 16 more persons were dragged inside. Then the van drove to the parking lot near "Na Rostaniach" cafe at Jakub Kolas square.

POLICE VAN.

It was a car with 4 cells, designed for the transportation of about 12-13 arrested people. The first cell with the grated doors admits 8 or 9 people, the second and the third ones with the metal doors – 1 person each, and the fourth one with grated-doors again is for 2 people. The first cell of "our" van was packed with 14 people. The police had searched us before we got inside. The things they took from us were put in the same bag. An old man with a heart disease was released. The van started moving in the unknown direction. Our trip lasted about 20 minutes.



The hangar.

HANGAR.

We got out on the territory of some military unit in front of the big hangar. It was about 12 noon – the time the meeting on Jakub Kolas square was supposed to start, but we had already been detained. The van went back to pick up the next group of the detained people. The soldiers surrounded us. One by one they took us out of the circle and led to the hangar, writing down our last names. Several minutes afterwards a car came to the hangar and three policemen in civilian clothes got out. They brought Anatol Labiadzka, the chairman of the United Civic Party (he was a vice-chair then), and Alexander Tamkovic, journalist.

The hangar turned out to be a sports hall inside. Nobody explained us the reason for our detention, nobody told us his name, but they took us one by one to the tables, especially brought to the hall. There they wrote down our names, home addresses, workplaces, and composed a search-report. The hall was divided in two parts: one part for those already registered, and the other one for the newly detained.

Very soon I saw the reporters with their cameras among us – journalists from ORT, RTR, NTV, TVC, Polish TV were also detained. The number of people in the hall was rapidly growing. Later I heard that there were over 200 people there, about 50 of which were journalists, diplomats, and international observers.

From time to time we were drawn up in line along the wall, and some officer would examine the rows of the arrested. Some people in civilian clothes filmed us several times. From time to time the arrested started shouting the slogans "Long live Belarus!", "Belarus — to Europe, Lukasenka – to...!" The policemen tried to shut us up and turned up the sound in the boom box. It didn't help, but vice versa, set the arrested off.

(To be continued)

The Right to Freedom. The Bulletin of the Human Rights Centre "Viasna". Published twice a month in Belarusan, English and Russian languages. Circulation 299 copies. Editor-in-Chief Ales BYALATSKY.

Address: 220013, Minsk, p/b 49. E-mail:viasna@spring96.org www. spring96.org

In this number photos from the Centre "Viasna" archives are used.